



Entered on Docket
November 16, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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The Bank of New York Mellon, fka The Bank of New York, as successor to JP Morgan Chase Bank, N.A., as Trustee, not in its individual capacity but solely as Trustee for Pooling and Servicing Agreement dated as of April 1, 2005 First Franklin Mortgage Loan Trust 2005-FF5 Asset-Backed Certificates, Series 2005-FF5
09-76149

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Allen Yans

Debtor.

BK-S-09-25403-mkn

Date: 10/28/09
Time: 1:30pm

Chapter 7

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor The Bank of New York Mellon, fka The Bank of New York, as successor to JP Morgan Chase Bank, N.A., as Trustee, not in its individual capacity but solely as Trustee for Pooling and Servicing Agreement dated as of April 1, 2005 First Franklin Mortgage Loan Trust 2005-FF5 Asset-Backed Certificates, Series 2005-FF5, its assignees and/or successors in interest, of the subject property, generally described as 4416 Fernbrook Rd., Las Vegas, NV 89103.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that in the event a Notice
2 of Default was recorded against this particular property prior to July 1, 2009, the Debtor(s) can promptly
3 submit a copy of this order to the State of Nevada, Foreclosure mediation program and the Order will be
4 construed as an agreement between the Secured Creditor and the Debtor(s) that they have voluntarily
5 agreed to a mediation under the Nevada State Foreclosure Mediation program pursuant to Rule 6 of said
6 program. The necessary information can be accessed at "[http://www.nevadajudiciary.us./](http://www.nevadajudiciary.us/)"
7

8 DATED this 10th day of November 2009

9 Submitted by:
10 **WILDE & ASSOCIATES**

11 By  #10235
12 **GREGORY L. WILDE, ESQ.**
13 Attorney for Secured Creditor
14 208 South Jones Boulevard
Las Vegas, Nevada 89107

15 APPROVED / DISAPPROVED

16 _____
17 pro se
Attorney for Debtor(s)

18 APPROVED / DISAPPROVED

19 _____
20 William A. Leonard
21 5030 Paradise Road, #B216
22 Las Vegas, NV 89119
Chapter 7 Trustee
23
24
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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☐ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☒ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

23
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor